

Agenda Item No. 7.1.a.
For Agenda of 1.9.07



Tigard City Council Meeting Minutes

Date: November 28, 2006
Time: 6:32 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Absent: Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session		
Discuss Potential Jaywalking Ordinance	<p>Police Chief Dickinson and Officer Erickson reviewed the recommendations for a proposed amendment to the Tigard Municipal Code pertaining to jaywalking. A memorandum describing the proposal and the reasons for such an ordinance was distributed to the City Council and a copy is on file in the City Recorder's office.</p> <p>Highlights of the discussion included:</p> <ul style="list-style-type: none">◆ Number of accidents involving vehicles and pedestrians.◆ Nearby jurisdictions have jaywalking ordinances in place.◆ Ordinance would be used as an education tool; violation would be an "infraction."◆ No state law exists on jaywalking; the only related laws pertain to disorderly conduct.◆ Safety issues for pedestrians vs. vehicles near the high school and also at bus stops.◆ Councilor Harding expressed some reservations about the need for this ordinance; she supported an education approach.◆ Mayor Dirksen said he thought this ordinance was a good idea but would not want it to be too restrictive. He referred to the recommendation that no pedestrian may cross a street or roadway other than within a crosswalk if they are within	<p>Police Chief Dickinson advised police staff would modify the recommendations for the proposed ordinance in accordance with the City Council discussion and return with a draft ordinance at a City Council workshop meeting.</p>

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	<p>150 feet of a crosswalk. The Mayor said he thought 150 feet should be changed to 100 feet. He also questioned about crossing a neighborhood street and the applicability of this type of ordinance. He suggested that the ordinance define areas where people would not be violating it.</p> <ul style="list-style-type: none"> ◆ Councilor Sherwood said she would support a jaywalking ordinance on main collector streets and there be a strong education campaign before enforcement. ◆ Councilor Harding agreed with an education campaign. She also noted another area where people need to be reminded of the law, which is to pull over to the right when emergency vehicles are approaching with lights and sirens activated. 	
<p>Study Session continued</p> <p>City Center Advisory Commission Downtown Development Letter</p>	<p>Community Development Director Coffee referred to the draft "developer letter" submitted to the City Council. A copy this letter is on file in the City Recorder's office.</p>	<p>City Council members indicated support for the proposed letter.</p>
<p>Study Session</p> <p>Fee Scheduled Adjustment for Planned Development</p>	<p>Upon an inquiry from staff, City Council members indicated support for the proposed planned developments fee increase as presented on the Consent Agenda. (Item No. 3.7) The increased fees will recover the costs of the additional staff time to administer the new planned development process approved by the City Council on October 24, 2006.</p>	
<p>Study Session continued</p> <p>Administrative Items</p>	<ul style="list-style-type: none"> ◆ Council members are to contact Executive Assistant to the City Manager Bengtson to update biographical information posted on the City's website. 	

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	<ul style="list-style-type: none"> ♦ The City Council goal-setting meeting will be on December 11, 2006. Lunch will be served at noon; the meeting will start at 1 p.m. ♦ A joint meeting with the Tigard-Tualatin School District Board and the Tualatin City Council will be held at the School District's offices on January 29, 2007 – 6:30 p.m. 	
Executive Session	<p>The Tigard City Council went into Executive Session at 6:55 p.m. to discuss pending litigation and real property transaction negotiations with legal counsel under ORS 192.660(2) (e) and (h).</p> <p>Executive Session concluded at 7:26 p.m.</p>	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and the Local Contract Review Board to Order at 7:35 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, and Wilson.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports: None</p> <p>1.5 Call to Council and Staff for Non-Agenda Items: None</p>	
2. Citizen Communications	<ul style="list-style-type: none"> ♦ Chamber of Commerce President Ralph Hughes updated the City Council on activities at the chamber: <ul style="list-style-type: none"> ○ January membership drive event – it is hoped they can recruit 300 members. A Texas company will be assisting the Chamber in this membership drive. ○ Tree Lighting Event – December 1, 2006 ○ Leadership Institute is going well. Assistant City Manager Newton said the leadership group will be meeting at City Hall on December 20 and activities have been planned. ♦ Jim Brickley, 8945 SW Greensward, Tigard, OR 	

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	<p>submitted a petition containing signatures of concerned citizens from this and other communities regarding the shooting death of Lukus Glenn on September 16, 2006. Mr. Brickley said they are asking that the City Council consider a public inquiry into the shooting and to take into account all of the details that happened. He said he believes there needs to be a public hearing setting so that “we can get all of the details out and restore faith and trust in our law enforcement agencies and our 911 system in this community.” He noted behind him there were many supporters for “what needs to happen.” He asked the City Council to seriously consider this request because it is of grave concern to many people in this community as well as of those who were here tonight.</p> <p>Mayor Dirksen asked whether “most of the folks that I see in the audience are here in support of this?” Mr. Brickley said, “Yes.” The Mayor asked those in the audience who were here for this request to raise their hands. Mayor Dirksen said he appreciated Mr. Brickley coming to the City Council and the manner in which the petition and his friends were presenting this to the Council. Mayor Dirksen said the City Council had considered this previously and at the time decided there was no reason for a public inquest because it was not the City of Tigard’s place. In light of the presentation from Mr. Brickley, Mayor Dirksen said “we will allot some time for members of Council to consider this request and, if it is brought up before the Council again by a Council member, we will consider it. Mayor Dirksen thanked Mr. Brickley again for coming.</p> <ul style="list-style-type: none"> ♦ John Frewing, 7110 SW Lola Lane, Tigard, OR, identified to the Council a new citizen group that has formed: <i>Friends of Tigard Bull Mountain Trails</i>. He said they have met four times since late August. They have set bylaws. Mr. Frewing said there have been dozens of projects identified to be done. This group will be 	

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	<p>meeting November 29, 2006, at the Tualatin Valley Fire & Rescue Station 51 on Burnham Street. He noted the agenda for this meeting includes items such as asking for input to a Tigard Bull Mountain trails map. He noted City staff has been of assistance to this group. The <i>Friends</i> have submitted comments and support letters for two of the MTIP projects that affect Tigard: Downtown Green Street and Powerline Trail. He said they are organizing a December 9, 2006, litter pick up and exploration walk along the Powerline Trail corridor. He said this group hopes to provide input to the Comprehensive Plan update effort. Mr. Frewing said they hope to complete a sidewalk survey and update the pedestrian and bicycle needs for the City through whatever outreach they could accomplish. Mr. Frewing requested that the City Council review its Street Maintenance Fee that was passed several years ago. The <i>Friends'</i> interests would be served by including some kind of sidewalk and pedestrian improvements within the fee, whether or not the fee is changed when it is reviewed next year. Mr. Frewing said he is letting the City Council know that this group exists, they intend to cooperate with the City where they agree with the City and "we will argue with the City where we don't agree with the City."</p> <p>Mayor Dirksen said he has been following the activities of this new group with some interest. He said it is a great idea and that it is terrific when citizens come together with an idea like this and push forward with it. Mr. Frewing advised the Mayor that the <i>Friends</i> meeting will start at 6:30 p.m. on November 29. The Mayor said he was unable to attend the meeting on the 29th, but he would like to come to a future meeting to hear the plans they have.</p> <p>Councilor Wilson said he was interested in the Powerline walk that was scheduled for December 9. Mr. Frewing said he has walked along the line and that there is a significant amount of litter. He said he was hoping the</p>	

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	<p>City's Public Works Department would take the bags of litter they collect. Mayor Dirksen said he was sure "we could work something out."</p> <p>♦ Jeff Kallevig, 11305 SW Bull Mountain Road, Tigard, OR 97224, is Pastor of Christ the King Lutheran Church on the corner of Highway 99 and Bull Mountain Road and invited the Mayor, City Council, and the whole community to Christmas dinner. He said their church has decided that since Christmas Eve falls on a Sunday, oftentimes Sunday is a time when families gather together and they would like to open their congregation's building to host a dinner. He said they were specifically targeting two populations in the community: Those who are homeless or have a food shortage and the senior citizens who might be alone during the holiday. He added, though, the dinner is for anyone. He said they are planning to feed 700 people and said he was asking for help from other organizations as well as getting the word out about the dinner.</p> <p>Councilor Sherwood said she has been working with Mr. Kallevig and she thinks is a great idea for the community. If this becomes an annual event, this is one way to reach out to those in our community who are alone or have food shortages. She urged people to get the let others know about this dinner. She noted a lot of people, including those who are not members of this church, have come together to help. She thanked Mr. Kallevig for doing this.</p> <p>The dinner will be served on December 24, from Noon – 5 p.m.</p> <p>Mayor Dirksen said this is a terrific idea, a great event, and that he would make every effort to be there.</p>	
3. Consent Agenda	<p>3.1 Approve Council Minutes for October 10, 17, and 24, 2006</p> <p>3.2 Approve Budget Amendment #6 to increase appropriations in the Water Quality/Quantity</p>	<p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to approve the Consent</p>

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	<p>Fund Capital Projects budget for the Hiteon Creek Riparian Enhancement project -- Resolution No. 06-67</p> <p>A RESOLUTION APPROVING BUDGET AMENDMENT #6 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE WATER QUALITY/QUANTITY FUND CAPITAL PROJECTS BUDGET WITHIN THE COMMUNITY INVESTMENT PROGRAM FOR ADDITIONAL FUNDING FOR THE HITEON CREEK RIPARIAN ENHANCEMENT PROJECT</p>	<p>Agenda.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
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3.3	<p>Approve Budget Amendment #7 to accept and expend Bureau of Justice Grant Funds for the GREAT Program-- Resolution No. 06-68</p> <p>A RESOLUTION APPROVING BUDGET AMENDMENT #7 TO THE FY 2006-07 BUDGET TO ACCEPT AND EXPEND BUREAU OF JUSTICE GRANT FUNDS FOR THE GREAT PROGRAM</p>									
3.4	<p>Approve Budget Amendment #8 to increase appropriations in the Gas Tax Fund for funding of the Preliminary Engineer's Report for the proposed Local Improvement District (LID) for infrastructure improvements in the Tigard Triangle -- Resolution No. 06- 69</p> <p>A RESOLUTION APPROVING BUDGET AMENDMENT #8 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE GAS TAX FUND CAPITAL PROJECTS FOR FUNDING OF THE PRELIMINARY ENGINEER'S REPORT FOR THE PROPOSED LOCAL IMPROVEMENT DISTRICT (LID) FOR INFRASTRUCTURE IMPROVEMENTS IN THE TIGARD TRIANGLE</p>									
3.5	<p>Approve Budget Amendment #9 to correct Budget Amendment #2's Resolution No. 06-49</p>									

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	<p>Attachment A to the Resolution-- Resolution No. 06-70</p> <p>A RESOLUTION APPROVING BUDGET AMENDMENT #9 TO THE FY 2006-07 BUDGET TO CORRECT BUDGET AMENDMENT #2'S RESOLUTION NO. 06-49 ATTACHMENT A TO THE RESOLUTION</p> <p>3.6 Appoint Dennis Sizemore to the Tree Board as a Voting Citizen Member – Resolution No. 06-71</p> <p>A RESOLUTION APPOINTING DENNIS SIZEMORE TO THE TREE BOARD AS A VOTING CITIZEN MEMBER</p> <p>3.7 Approve amending Master Fees and Charges Schedule and update the Planned Developments Fee Schedule—Resolution No. 06-72</p> <p>A RESOLUTION AMENDING RESOLUTION NO. 06-36 BY AMENDING EXHIBIT A THERETO AND INCREASING THE PLANNED DEVELOPMENT FEE</p> <p>3.8 Approve Amendment to Resolution No. 06-65 Revising the Membership of the Citizen Advisory Committee for the Highway 99W Corridor Improvement and Management Plan—Resolution No. 06-73</p> <p>A RESOLUTION TO REVISE THE MEMBERSHIP OF THE CITIZEN ADVISORY COMMITTEE FOR THE HIGHWAY 99W CORRIDOR IMPROVEMENT AND MANAGEMENT PLAN BY AMENDING RESOLUTION NO. 06-65</p> <p>3.9 <i>Local Contract Review Board:</i></p> <p>a. Award of Contract for Construction of Hall Boulevard Sidewalk (from Spruce</p>	

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	<p>Street to 850 feet south)</p> <p>b. Award of Contracts for Wetland Services on an As-Required Basis</p> <p>3.10 <i>City Center Development Agency:</i></p> <p>a. Direct staff to execute a Memorandum of Understanding with Wilking Investments V LLC for a potential easement to develop a “gateway to Fanno Creek Park” from Main Street</p> <p>b. Direct staff to execute a Memorandum of Understanding with Stevens Marine, Inc. for potential purchase of key properties in the downtown</p>	
<p>4. Presentation to City of Tigard – Pacific Northwest Clean Water Association’s 2006 Outstanding Reuse Customer Award</p>	<p>Clean Water Services Wastewater Treatment Department Director Mark Poling, Reuse Plan Project Manager Steve Kebbe, and Public Involvement Coordinator Sheri Wantland were present.</p> <p>As a result of the City’s efforts to use reclaimed water (wastewater that has been treated to meet stringent DEQ standards), Clean Water Services nominated the City for the Outstanding Reuse Customer Award. The City received this award in September 2006.</p> <p>The benefits of using reclaimed water were discussed, including the fact that switching to reclaimed water to irrigate over 25 acres of park land saves City residents more than \$20,000 per year.</p> <p>Other organizations that also use reclaimed water include the School District, Tualatin Country Club, City of Durham, the Summerfield Civic Association, City of Tualatin, and the City of King City.</p>	
<p>5. League of Oregon Cities Safety Award</p>	<p>Assistant City Manager Newton advised that the League of Oregon Cities awarded the City of Tigard the Silver Safety Award for 2005/06.</p> <p>This is the eighth year in a row the City has won this award. When compared to other cities with populations of 150+ employees, Tigard had the second lowest injury frequency rate.</p>	

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6. Public Hearing (Informational) – Finalize Sewer Reimbursement District No. 32 (SW Fern Street)	<p>Mayor Dirksen opened the public hearing.</p> <p>There were no declarations or challenges.</p> <p>City Engineer Duenas presented the staff report. Highlights of his presentation are on file in the City Recorder’s office.</p> <p>The District includes sewer service to five lots and was part of a project to improve SW Walnut Street between SW 121st and 135th Avenues through the Major Streets Transportation Improvement Program (MSTIP). The project is complete and sewer can be made available to the lots.</p> <p>There was no public testimony.</p> <p>City Engineer Duenas advised that staff recommends that Council pass the resolution finalizing the District.</p> <p>Mayor Dirksen closed the public hearing. He said that it was great that the City was able to include this construction with the MSTIP project.</p> <p>Council considered the proposed ordinance: RESOLUTION NO. 06-74 – A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 32 (SW FERN STREET) AND AMENDING THE PRELIMINARY CITY ENGINEER’S REPORT CONTAINED IN RESOLUTION NO. 05-05</p>	<p>Motion by Councilor Wilson, seconded Councilor Harding, to adopt Resolution No. 06-74.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
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7. Public Hearing (Informational) – Finalize Sewer Reimbursement District No. 32 (SW Fern Street)	<p>Mayor Dirksen opened the public hearing.</p> <p>Declarations or challenges: Councilor Sherwood advised she knows several people who live in this area, but she has not talked to them about this Reimbursement District.</p> <p>City Engineer Duenas presented the staff report. Highlights of his presentation are on file in the City Recorder’s office.</p> <p>This District includes sewer service to 28 lots. The project is complete and sewer can be made available</p>	<p>Motion by Councilor Sherwood, seconded Councilor Harding, to adopt Resolution No. 06-75.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
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	<p>to the lots.</p> <p>There was no public testimony.</p> <p>City Engineer Duenas advised that staff recommends that Council pass the resolution finalizing the District.</p> <p>Mayor Dirksen closed the public hearing.</p> <p>Council considered the proposed ordinance: RESOLUTION NO. 06-75 – A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 36 (SW 93RD AVENUE) AND AMENDING THE PRELIMINARY CITY ENGINEER’S REPORT CONTAINED IN RESOLUTION NO. 06-16</p>	
8. Emergency Management Update	<p>Emergency Management Coordinator Lueck presented the update. A copy of his presentation is on file in the City Recorder’s office.</p> <p>Mr. Lueck reviewed the Community Emergency Response Team Program (CERT), 72-hour Preparedness Outreach, Emergency Plan Development and Revision, OCEM Partnering projects, and a summary of the Tipoff ’06 exercise.</p> <p>In the future there will be staff training, internal exercising, public outreach and the “Topoff ’07” exercise.</p> <p>Councilor Sherwood noted she attended an emergency preparedness workshop offered by the City and she was surprised at how unprepared she discovered she was. She encourages people to attend this workshop, which is offered every three months.</p>	
8. Police Department Annual Report	<p>Police Chief Dickinson presented the Annual Report. Highlights of his presentation are on file in the City Recorder’s office.</p> <p>The Tigard Municipal Code requires that the Chief of Police provide an annual public review and evaluation of all Department goals and objectives,</p>	

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	<p>and progress made toward their achievement.</p> <p>The presentation information included a summary of the following major topics pertaining to the Police Department:</p> <ul style="list-style-type: none"> ♦ Mission Statement ♦ Vision Statement ♦ Goals ♦ Core Values ♦ Crime Trends (Statistics) ♦ Program Highlights ♦ Problem Solving ♦ Future Goals <p>Police Chief Dickinson advised the new truancy ordinance has been used twice to date.</p> <p>There was brief discussion about the recruitment process for police officers and that it takes almost a year before a new recruit is trained and working alone on the streets.</p> <p>There was discussion about crime statistics and factors which impact the overall crime rate for the community; i.e., a regional shopping center such as Washington Square.</p> <p>The Police Department has inherent costs for overtime because of the nature of the work to be done. For example, officers are paid overtime because they must make court appearances scheduled on their time off. Police Chief Dickinson explained how staffing is provided for peak times for public safety coverage.</p>	
Audience Request	<p>An unidentified member of the audience requested a Council response to the request for a public inquest relating to Lukus Glenn (see Page 3, Citizen Communications). Mayor Dirksen offered to discuss this matter with the gentleman after the City Council meeting.</p>	

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Adjournment	The meeting adjourned at 9:02 p.m.	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to adjourn the meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes</p>

Catherine Wheatley
Catherine Wheatley, City Recorder

Attest:

C. A. Ol
Mayor, City of Tigard

Date: January 9, 2007

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